

Civil Disturbances

Civil disturbances arise from acts of civil disobedience.

They occur most often when participants in mass acts of civil disobedience become antagonistic toward authority, and authorities must struggle to wrest the initiative from an unruly crowd. In the extreme, civil disturbances include criminal acts of terrorism. Civil disturbances, in any form, are prejudicial to public law and order.

FEDERAL INTERVENTION AND AID

Under the US Constitution and the US Code, the President is empowered to direct federal intervention in civil disturbances to:

- Respond to state requests for aid in restoring order.
- Enforce the laws of the United States.
- Protect the civil rights of citizens.
- Protect federal property and functions.

Under the Constitution, each state is responsible for protecting life and property within its boundaries. State and local governments use their civil forces to maintain law and order and to quell civil disturbances. However, if a civil disturbance exceeds the resources of a state, federal troops may be called upon to help restore and maintain law and order.

The Constitution and federal statutes authorize the President to direct the use of federal armed troops within the 50 states, the District of Columbia, Puerto Rico, and US possessions and territories and their political subdivisions. The President is also empowered to federalize the National Guard of any state to suppress rebellion and enforce laws.

Federal aid is given to a state when the state has used all of its resources, including its National Guard, to quell a disorder

and finds the resources not sufficient.

Usually, active-duty federal forces are used to augment the requesting state's National Guard. But the President may choose to federalize another state's National Guard and use them, alone or with other forces, to restore order.

The President also can employ federal troops to ensure the execution of US law when a state opposes or obstructs US law or impedes the course of justice under those laws. And the President can employ armed federal troops to suppress insurrection, domestic violence, unlawful assemblies, and conspiracy if such acts deprive the people of their constitutional rights and privileges and a state's civil authorities cannot or will not provide adequate protection.

The President is also authorized to use armed federal troops to protect federal property and functions when the need for protection exists and the local civil authorities cannot or will not give adequate protection. The right of the United States to protect all federal property and functions regardless of their locations is an accepted principle of our government.

As a temporary measure, federal military equipment and facilities may be loaned to

state and local governmental bodies and law enforcement agencies for use during civil disturbances. These resources may also be loaned to a state's National Guard and to nonDOD federal agencies. *The*

requesting agencies are expected to provide enough resources of their own to minimize the need for US military resources. And the loan of the resources must not conflict with US military needs.

CAUSES

Civil disturbances may arise from a number of causes. Most often they arise from political grievances, urban economic conflicts and community unrest, terrorist acts, or foreign influences. The event may be triggered by a single cause. Or it may arise from a combination of causes.

Demonstrations of political grievances range from simple protests of specific issues to full-scale civil disobedience. Many forms of political protest, while disruptive, are not unlawful. These protests may be spontaneous, but they generally are planned events. They may even be coordinated with local authorities. Most protectors are law-abiding citizens. They intend their protests to be nonviolent. Violence occurs mainly when control forces must try to contain a protest or arrest protectors involved in civil disobedience. The presence of agitators increases the chance of violence. Agitators want to provoke the control force into overreacting. This embarrasses authorities. It can also gain media and public sympathy for the protectors.

Urban conflicts and community unrest arise from highly emotional social and economic issues. Economically deprived inner-city residents may perceive themselves treated unjustly or ignored by the people in power. Tension can build in a community over a variety of issues. Community services and housing and labor issues are often disputed. Tension creates the potential for violence. When tension is high, it takes only a minor incident or a rumor of an injustice to ignite a civil disturbance. This is particularly true if the

community's relations with local police are part of the problem.

Significant cultural differences in a community can create an atmosphere of distrust. Unrest among ethnic groups competing for jobs can erupt into civil disturbance. Sometimes a large group of refugees resettles in one community, creating unrest in the community. If jobs are in short supply and refugees are taking what jobs there are, feelings of animosity can arise. As emotions run high, violence becomes likely.

Civil disturbances may be organized by disaffected groups. These groups like to embarrass the government. Or they may demonstrate as a cover for terrorism. Their goal is to cause an overreaction by authorities. They think this will generate sympathy for their cause among the general population. Foreign nations may promote civil disturbances through surrogate organizations. The surrogates involve themselves in activities that promote a particular nation's interests. Their actions may be quite overt. Sometimes they even conduct fund-raising and membership drives. The surrogate's sponsors provide support in many ways. The sponsors give money, organizational help, and moral support. They may also help by training members of the surrogate group in civil disobedience, vandalism, and agitation and manipulation of crowds and media. Agents of foreign nations may influence civil disturbances. Agents infiltrate disaffected groups to increase their potential for violence. If they are successful and government forces overreact, the targeted government may be seen as repressive.

LOCATIONS

Civil disturbances may arise from a symbolic of a grievance, near the cause of a grievance, or close at hand to an aggrieved crowd. Examples of such places are nuclear weapons facilities or power plants, in urban areas, at refugee camps, or at government facilities. Nuclear weapons facilities and power plants are subject to demonstrations by anti-nuclear activists. These activists demonstrate at places they know or think are used to develop, build, transport, or store nuclear weapons or their parts. The facilities can belong to federal agencies or to businesses with DOD contracts. Active involvement with nuclear weapons is not necessary. Past involvement or the activists' belief of past involvement can make the facilities targets for demonstrations. Nuclear power plants are also targets of environmentalists and other activist groups. The plants are seen as dangers to society and the environment. Demonstrations at plants or plant construction sites may be held to try to interfere with plant operations.

US government facilities like recruiting offices, federally-leased buildings, ROTC buildings, and federal courthouses also can be the targets of demonstrations. A government facility may be targeted simply because a protesting group attaches a symbolic value to, or perceives a connection with, a protested policy. This is especially true of anti-war and anti-nuclear protest groups. They may choose a facility because they see it as the source of their grievance. Or they may target a facility because the people working there are seen as having the power to address the group's grievance.

Urban areas can be the scene of inner-city conflicts, labor disputes, and political struggles. Disturbances in urban areas are usually fueled by aggrieved members of the community. However, an urban area having symbolic value to a particular group may be the stage used by outside demonstrators to draw attention to their cause.

Refugee and resettlement camps can become the focus of a civil disturbance. Large numbers of refugees entering the US in mass are often placed temporarily in refugee camps until they can be resettled. Resettlement can be a slow and difficult process. The boredom, frustration, and other stresses refugees experience in these camps can create tensions that may erupt into violence. And agitators may infiltrate refugee camps to exploit these tensions in ways that will embarrass the US.

Demonstrations at US government facilities are not limited to those in the US. US facilities in foreign nations can be locations of civil disturbances. DOD installations, US embassies, and US consulates in foreign nations are favorite targets of demonstrators. DOD installations in foreign nations are often scenes of protests against US foreign policies. The actual installation and its mission may or may not be the true target. Often the installation is just used as a highly visible symbol of US government. American embassies and consulates also are subject to disturbances. They too are highly visible, concrete representations of the US government.

MISSION OF MILITARY FORCES IN A CIVIL DISTURBANCE

The mission of the military forces in a civil disturbance is to help local authorities restore law and order. The preservation of law and order in the civilian community

is the responsibility of state and local governments and law enforcement authorities. The preservation of law and order on the federal property of a military

installation is the responsibility of the installation commander and military law enforcement authorities. The military performs civil disturbance operations in support of these local authorities. Most often the military is used to disperse unauthorized assemblages and to patrol disturbed areas to prevent unlawful acts. Military forces may be used to maintain the mechanics of essential distribution, transportation, and communications systems. Military forces are also used to make a show of force, set up roadblocks, cordon off areas, disperse crowds, release riot control agents, and serve as security forces or reserves. And the military may be tasked to initiate needed relief measures.

The commitment of military forces to civil disturbance control operations does not automatically give these forces police power. The police power of military forces is bound by legal constraints as well as humanitarian consideration. Only the degree of force reasonably needed in a circumstance is permitted. All military leaders and planners must be familiar with the laws, regulations, and policies that govern military involvement in civil disturbances. They must know the laws and policies that have a direct impact on military civil disturbance control plans and actions. Those laws and policies dictate how the military can and should act when controlling a civil disturbance.

Military control force commanders must know what options are available to them. Commanders must be able to be highly

flexible and selective in their responses. A commander must select the option that is the best response to a given civil disturbance in that specific physical and psychological environment. He must be able to both reduce the intensity of the confrontation and restore order.

In all contacts with the civilian population and the participants of the disturbance, military forces must display fair and impartial treatment. And they must adhere to *the principle of minimum force*. Whenever possible, civil police apprehend, process, and detain civil-law violators. Military forces perform these functions only when necessity dictates and only to the minimum extent required. These functions are returned to civil authorities as soon as possible. When military forces have achieved enough order to allow the local authorities to resume control, the military's mission is accomplished and their active role in controlling the disturbance ends.

As the disturbance subsides, the commander takes steps to restore control to the civil authorities. The control force gradually reduces the number and scope of its operations and begins removing its equipment from the area. But the control force takes care not to give the impression that all controls have been removed. Withdrawal is not immediate. That would create the impression of abandonment and could lead to a resurgence of the disturbance. The control force gradually withdraws in a phased return of control to civil authorities.